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I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC 20221, ON THE DATE INDICATED BELOW:

BY: Samuel Hatch

DATE: August 2, 2001

**PATENT  
BOX MISSING PARTS**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re: Patent Application of Robert Henry, et al. : Group Art Unit: 1638  
Appln. No.: 09/839,813 : Examiner: Not Yet Assigned  
Filed: April 20, 2001 :  
Title: NEW PLANTS FORMED BY MICROPARTICLE BOMBARDMENT WITH UNCHARACTERISED DNA : Attorney Docket No. 54195-5001

**TRANSMITTAL OF MISSING PARTS OF APPLICATION –  
FILING DATE GRANTED**

In response to the Notice to File Missing Parts dated July 11, 2001, the following is submitted herewith:

- ☒ [X] Copy of the Notice to File Missing Parts of Application – Filing Date Granted, mailed July 11, 2001.
- ☐ [ ] No Notice to File Missing Parts has been received.
- ☒ [X] One (1) Declaration and Power of Attorney.
- ☐ [ ] Verified English translation of application as filed.
- ☐ [ ] Priority document(s): Certified copy(ies) of \_\_\_ patent application No(s). \_\_\_\_\_, filed in \_\_\_\_\_ on \_\_\_\_\_ from which priority is claimed under 35 U.S.C. §119.
- ☐ [ ] Formal drawings: \_\_\_ sheets.
- ☐ [ ] Information Disclosure Statement, Form PTO-1449, and cited references.
- ☒ [X] Preliminary Amendment (abstract)
- ☐ [ ] Nucleotide and/or Amino Acid Sequence Submission, including:
  - ☐ [ ] Computer readable copy      ☐ [ ] Paper Copy      ☐ [ ] Verified Statement
- ☐ [ ] Petition for a \_\_\_\_\_ ( ) Month Extension of Time and requisite fee.
- ☐ [ ] Request for Refund.
- ☐ [ ] Request for Corrected Filing Receipt. Attached is a marked-up copy of the Filing Receipt showing corrections.
- ☐ [ ] Notice of Change of Address

- ☒ Applicant(s), by its/their undersigned attorney, claim(s) Small Entity Status under 37 C.F.R. §1.27 as ☐ an Independent Inventor, or ☐ a Small Business Concern, or ☒ a Non-Profit Organization.
- ☒ The following fees noted below are being paid:
- ☒ Surcharge of **\$65.00** for late filing of filing fee and/or Declaration and Power of Attorney.
- ☐ Surcharge of **\$65.00** for late filing of English translation.
- ☐ Surcharge of \$\_\_\_\_\_ for a \_\_\_\_\_ Month Extension of Time.
- ☒ Enclosed is our firm's check in the amount of **\$65.00** for the above fee.
- ☒ The Commissioner is hereby authorized to charge and/or credit Deposit Account No. 50-0310 (billing code 54195-5001) as noted below. A duplicate copy of this sheet is enclosed.
- ☐ The above-calculated fee(s) calculated totaling \$\_\_\_\_.00.
- ☒ Any overpayments or deficiencies in the above-calculated fee(s).
- ☒ Any additional fees required under 37 C.F.R. §1.16 or §1.17.
- ☒ In the event that a Petition for Extension of Time is required during the prosecution of this application, but not submitted, please charge any extension fee under 37 C.F.R. §1.136(a) to our Deposit Account noted above.

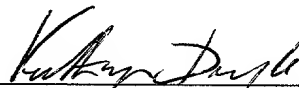
Respectfully submitted,

**ROBERT HENRY, ET AL.**

August 2, 2001

Date

By:

  
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/dp

Enclosures - check; copy of Notice to File Missing Parts; Missing Parts (executed declaration) and preliminary amendment (abstract)



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/839,813	04/20/2001	Robert Henry	FISHER

CONFIRMATION NO. 3042

## FORMALITIES LETTER



\*OC000000006282709\*

MORGAN, LEWIS & BOCKIUS, L.L.P.  
1701 Market Street  
Philadelphia, PA 19103-2921

Date Mailed: 07/11/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Abstract must be on a separate sheet.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

08/08/2001 EABUBAK1 00000009 09839813

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